

Hunter v. Durr

06 - CV - 00411

Exhibit E

**to Plaintiff's Suggestions in Opposition
to Defendant's Motion for Summary Judgment**

Excerpts from Durr's Site Safety Manual

Site Safety Manual



**Dürr Project 1580
HMMA New Paint Shop
Montgomery, Alabama**

(6) feet of an edge leading to a six- (6) feet fall. In addition, under the following situations, workers must satisfy the said requirements:

- 6.5.2.1 Working from ladders six (6) feet or more from surface.
- 6.5.2.2 Working from scaffolding.
- 6.5.2.3 Working inside a lifting device (i.e. scissor lift, JLG).

6.6 Floor Grating Removal Procedure

This procedure is designed, when implemented, to eliminate fall hazards associated with the removal of floor grating to perform installation, maintenance and service tasks.

- 6.6.1 No floor grating is to be removed from any booth or other grated location without first contacting the Safety Department, then obtaining and completing a **Grating Removal Permit**. *Permits must be done on a daily basis.* Prior to grating removal and the start of the workday, the Safety Department will review the procedures and protective measures checked on the permit and sign off. Only then, will a subcontractor or individual be allowed to remove grating.

- 6.6.2 For grating removal, **All** of the following requirements shall apply:

- 6.6.2.1 Never remove or leave a piece of grating out without first installing a rigid barricade, guardrail or equivalent, which will entirely encompass the opening, or properly cover the opening.

- 6.6.3 If **covers are utilized**, they must be:

- constructed as to adequately support without failure, at least twice the weight of any person(s) and / or equipment that may be subjected to and equal to or greater than the rated capacity of the grating that was removed.
- Cleated, or secured by means of wire tie downs, clips or other equivalent fastening method.
- Have some means of identifying the hazard on the cover, such as "Floor Opening" or "Hole" stenciled, painted or otherwise prominently inscribed.

- 6.6.4 If **rigid barricading or guardrail** is used, it shall:

- Be constructed of wood (2" x 4"), angle iron or material of comparable strength, or a combined system of components capable of achieving the same, e.g. wire rope and stanchions.
- Have a complete top rail (no voids).
- Have a complete mid-rail installed at a point midway between the top edge of the top rail and the grate floor, with exception of the designated access point to the removed grate opening.
- Be secured, self supporting and capable of withstanding any loads subjected. At a minimum, it must be capable of withstanding a load of 200 pounds.
- Have a toe board, with exception of the designated access point to the removed grate openings.

- 6.6.5 Upon removal of grating:

- Always ensure the remaining grates bordering the removed grates(s) opening are protected from movement or slippage. The existing grating can be secured by wiring down, installing clips or other means capable of securing permanently.
- Always set grating in an area as to not cause a tripping hazard or interfere with other subcontractors or work activities.
- Always stack grating away from the opening or no higher than the top of the toe board as to alleviate any chance of it being knocked onto someone possibly working in the opening.'
- When placing removed grating, do it in an organized way, e.g., flat uniform stacks of equal height.

6.6.6 Additional measures:

- When working in the area of removed grating, always ensure there is enough light so the opening can be easily seen.
- Warn and inform other personnel in the area of the removed grating.
- When installing the grating, replace it as it was removed, e.g., correct location and position, wired down, etc..
- Take any additional precautions as necessary to prevent injury to yourself and others around you.
- Always wear hand protection when handling grating.
- All grating must be reinstalled at the completion of the work task or at the end of the shift. No opening shall remain beyond the end of the shift, unless a new permit is obtained.
- **No opening shall ever be left unguarded...post a watch if necessary.**

Note: Any requirement for deviation or change to the above procedure shall be submitted in writing to the safety department for review and approval prior to any action taken.

7.0 Environmental Plan

The following is intended to assist in handling the environmental issues associated with the construction process. The following plan is not self inclusive of all regulatory requirements that each subcontractor is obligated to satisfy.

7.1 Objective

To provide a basic plan for addressing known conditions which will arise during the Construction Process.

7.2. Hazardous Materials

7.2.1 All materials, hazardous or not, must be in properly labeled containers.

7.2.2 It will be the responsibility of Dürr Industries and the subcontractors to inform the Owner or its representative of the nature of the material being brought on site. If the Owner or its representative feels all subcontractors need to be informed of a specific material, a special coordination meeting will be held.

Floor Grating Removal Permit

Date

Subcontractor

Location

Level

Column

Purpose for Removal**Protective Measures****Check & Describe the following**☐ Guardrail / Barricade☐ 2" x 4" construction☐ Unistrut☐ Angle iron or pipe☐ Prefabricated / Manufactured barricade

Subcontractor Signature

Date

Safety Signature

Date

MBUSI Paint Shop Upgrade Project

Updated April 2002